

FINDINGS OF FACT AND CONCLUSIONS OF LAW

ORDER RECEIVED FOR FILING
Date 1/23/93
By 7/08

ORDER RECEIVED FOR FILING
Date 4/26/93
By [Signature]

- 2 -

ORDER RECEIVED FOR FILING
Date 10/24/93
By ABP

3.

ORDER RECEIVED FOR FILING
Date 1/21/93
By RP

—

ORDER RECEIVED FOR FILING
Date 1/24/93
By ABP

5.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
date 10/24/83
BY ABP

THK:bjs
cc: People's Counsel
File

[illegible]

ORDER RECEIVED FOR FILING
11/20/83
11/20/83

ZONING VARIANCES

Variance "A"

Variance from Section 1801.2.C.1, B.C.Z.R. and Section V.B.3.b, C.M.D.P. pursuant to Section 504, B.C.Z.R. to allow building separation of as close as 25 feet in lieu of 30 feet required for buildings greater than 30 feet in height for Lots 6, 7, 12, 13, 18, 19, 24, 25, 30, 31, 36, 37, 41, 42, 46 and 47.

Variance "B"

Variance from Section 1801.2.C.1, B.C.Z.R. and Section V.B.3.b, C.M.D.P. pursuant to Section 504, B.C.Z.R. to allow building separation of as close as 25 feet in lieu of 30 feet required for buildings greater than 25 feet in height for Lots 58, 59, 63, 64, 69, 70, 75, 76, 79, 80, 85, 86, 91, 92, 97 and 98.

Variance "C"

Variance from Section 1801.2.C.2.b, B.C.Z.R. and Section V.B.6.c, C.M.D.P. pursuant to Section 504, B.C.Z.R. to allow as close as 25 feet window to window separation for building face and 21 feet for bay window faces, if necessary, in lieu of 40 foot window to window required separation for Lots 6, 7, 12, 13, 18, 19, 24, 25, 30, 31, 36, 37, 41, 42, 46, 47, 58, 59, 63, 64, 69, 70, 75, 76, 79, 80, 85, 86, 91, 92, 97 and 98.

Variance "D"

Variance from Section V.B.6.b, C.M.D.P. pursuant to Section 504, B.C.Z.R. to allow a window setback as close as 12 feet from side building face and, if necessary, 10 feet from bay window face in lieu of 15 foot required window to property line setback for Lots 1, 6, 7, 12, 13, 18, 19, 24, 25, 30, 31, 36, 37, 41, 42, 46, 47, 52, 53, 58, 59, 63, 64, 69, 70, 76, 80, 85, 86, 91, 92, 97, 98 and 103.

Variance "E"

Variance from Section V.B.6.a, C.M.D.P. pursuant to Section 504, B.C.Z.R. to allow as close as 13 feet side building windowed wall and, if necessary, 11 feet bay window face in lieu of 25 foot required window to street right-of-way setback for Lot 36.

Variance "F"

Variance from Section 301.1.A, B.C.Z.R. to allow a 6 foot projection in lieu of as little as a 3 foot projection of an open, unenclosed porch into a required side yard for Lots 1, 6, 7, 12, 13, 18, 19, 24, 25, 30, 31, 36, 37, 41, 42, 46, 47, 52, 53, 58, 59, 64, 70, 76, 80, 85, 86, 91, 92, 97, 98 and 103.

LIST0145.BAW

Description

To Accompany Petition for Zoning Variance

29.398 Acre Parcel, Horsehead Woods

Limited Partnership Property

Southwest Side of Painters Mill Road,

Northwest of McDonogh Road,

Second Election District, Baltimore County, Maryland

DMW

Deft-MPC/Willis, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21206

410 296 3333

Fax 296 4765

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same on the southwest side of Painters Mill Road at the

end of the second of the two following courses and distances measured from the

point formed by the intersection of the centerline of Painters Mill Road and the

centerline of McDonogh Road, (1) Northwesterly 90 feet, more or less, and thence

(2) Southwesterly 47 feet, more or less, to the point of beginning, thence leaving

said beginning point and running the eleven following courses and distances, viz:

(1) North 81 degrees 58 minutes 59 seconds West 969.52 feet, thence (2) South 02

degrees 30 minutes 59 seconds East 275.26 feet, thence (3) South 85 degrees 45

minutes 27 seconds West 473.59 feet, thence (4) North 08 degrees 40 minutes 21

seconds West 245.56 feet, thence (5) North 07 degrees 42 minutes 29 seconds East

141.21 feet, thence (6) North 21 degrees 10 minutes 19 seconds West 198.11 feet,

thence (7) North 30 degrees 52 minutes 42 seconds West 111.58 feet, thence (8)

North 09 degrees 22 minutes 42 seconds West 396.08 feet, thence (9) North 62

degrees 54 minutes 28 seconds East 417.98 feet, thence (10) North 86 degrees 06

minutes 28 seconds East 275.50 feet, and thence (11) North 88 degrees 13 minutes 28

seconds East 562.48 feet to the aforementioned southwest side of Painters Mill

Page 1 of 2

Road, thence binding thereon the four following courses and distances, viz: (12) Southeasterly by a line curving to the left with a radius of 989.93 feet for a distance of 49.24 feet (the arc of said curve being subtended by a chord bearing South 20 degrees 45 minutes 06 seconds East 49.24 feet), thence (13) South 22 degrees 10 minutes 35 seconds East 479.33 feet, thence (14) South 19 degrees 57 minutes 45 seconds East 310.63 feet, and thence (16) South 22 degrees 10 minutes 35 seconds East 199.80 feet to the point of beginning, containing 29.398 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES

ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

August 5, 1993

Project No. 86068.U (L86068U)



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 2nd

Date of Posting: 9/1/93

Posted for: Horsehead Woods Limited Partnership

Petitioner: Horsehead Woods Limited Partnership

Location of property: Horsehead Woods, L.L.C. Dancers, R.R.

Location of Sign: 2nd Election District, Baltimore County, Maryland

Remarks: 9/1/93 - 1990 S. 1900 S. M.R.R.

Posted by: [Signature]

Date of return: 9/1/93

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. Aug 27, 1993

THIS IS TO CERTIFY that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper published

in Towson, Baltimore County, Md. once in each of 1 successive

weeks, the first publication appearing on Aug 26, 1993.

THE JEFFERSONIAN.

A. Henrichson

LEGAL AD. - TOWSON

Baltimore

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

AUGUST 18, 1993

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-62-A (Item 58)

SNC Painters Mill and McDonough Roads

Case at Forfeiture, Parcel C-1

2nd Election District - 3rd Councilmanic

Petitioner(s): Horsehead Woods Limited Partnership

HEARING: MONDAY, SEPTEMBER 20, 1993 at 9:00 a.m., Rm. 118 Courthouse.

Variance to allow building separation of as close as 25 feet in lieu of 40 feet required for buildings greater than 30 feet in height for Lots 1, 7, 12, 13, 18, 19, 24, 25, 30, 31, 36, 37, 41, 46 and 47; to allow building separation of as close as 25 feet in lieu of 30 feet required for buildings greater than 25 feet in height for Lots 58, 59, 63, 64, 69, 70, 75, 76, 79, 80, 85, 86, 91, 92, 97, and 98; to allow as close as 25 feet window to window separation for building face and 21 feet for bay window faces, if necessary, in lieu of 40 foot window to window required separation for Lots 6, 7, 12, 13, 18, 19, 24, 25, 30, 31, 36, 37, 41, 42, 46, 47, 58, 59, 63, 64, 69, 70, 75, 76, 79, 80, 85, 86, 91, 92, 97, and 98; to allow a window setback as close as 12 feet from side building face and, if necessary, 10 feet from bay window face in lieu of 15 feet required window to property line setback for Lots 1, 6, 7, 12, 13, 18, 19, 24, 25, 30, 31, 36, 37, 41, 42, 46, 47, 52, 53, 58, 59, 63, 64, 69, 70, 75, 76, 79, 80, 85, 86, 91, 92, 97, and 98; to allow as close as 13 foot side building windowed wall and, if necessary, 11 feet bay window face in lieu of 25 foot required window to street right-of-way setback for Lot 36; and to allow a 6 foot projection in lieu of as little as a 3 foot side yard for Lots 1, 6, 7, 12, 13, 18, 19, 24, 25, 30, 31, 36, 37, 41, 42, 46, 47, 52, 53, 58, 59, 64, 70, 76, 80, 85, 86, 91, 92, 97, and 98.

[Signature]

Arnold Johnson

Director

or: Horsehead Woods Limited Partnership

Robert A. Hoffman, Esq.

NOTES: (1) ZONING MAPS AND PETITION MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

(2) HEARING AND VARIANCE DECISIONS, FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3383.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE OFFICE AT 867-3381.

Printed with Recycled Ink on Recycled Paper

TO: PUBLISHED PUBLISHING COMPANY

August 26, 1993 Issue - Jeffersonian

Please forward billing to:

Venable, Baetjer & Howard

210 Allegheny Avenue

Towson, Maryland 21204

ATTN: BARBARA WHITE

410-694-6200

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LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARING AND VARIANCE DECISIONS, FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3383.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 867-3381.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

September 9, 1993

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: Case No. 94-62-A, Item No. 58
Petitioner: Horsehead Woods Limited Partnership
Petition for Variance

Dear Mr. Hoffman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 6, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Printed with Recycled Ink on Recycled Paper

receipt

Account: R-001-6150

Item Number 58

Taken in by: [Signature]

Date 8-6-93
(Chase of) Fox ridge, Parcel C-1
McDonough & Painters Mill Rds.

Owner: Horsehead Woods LTD. Partnership

#070 - Blanket Variance \$650.00
080 - Sign & posting 35.00

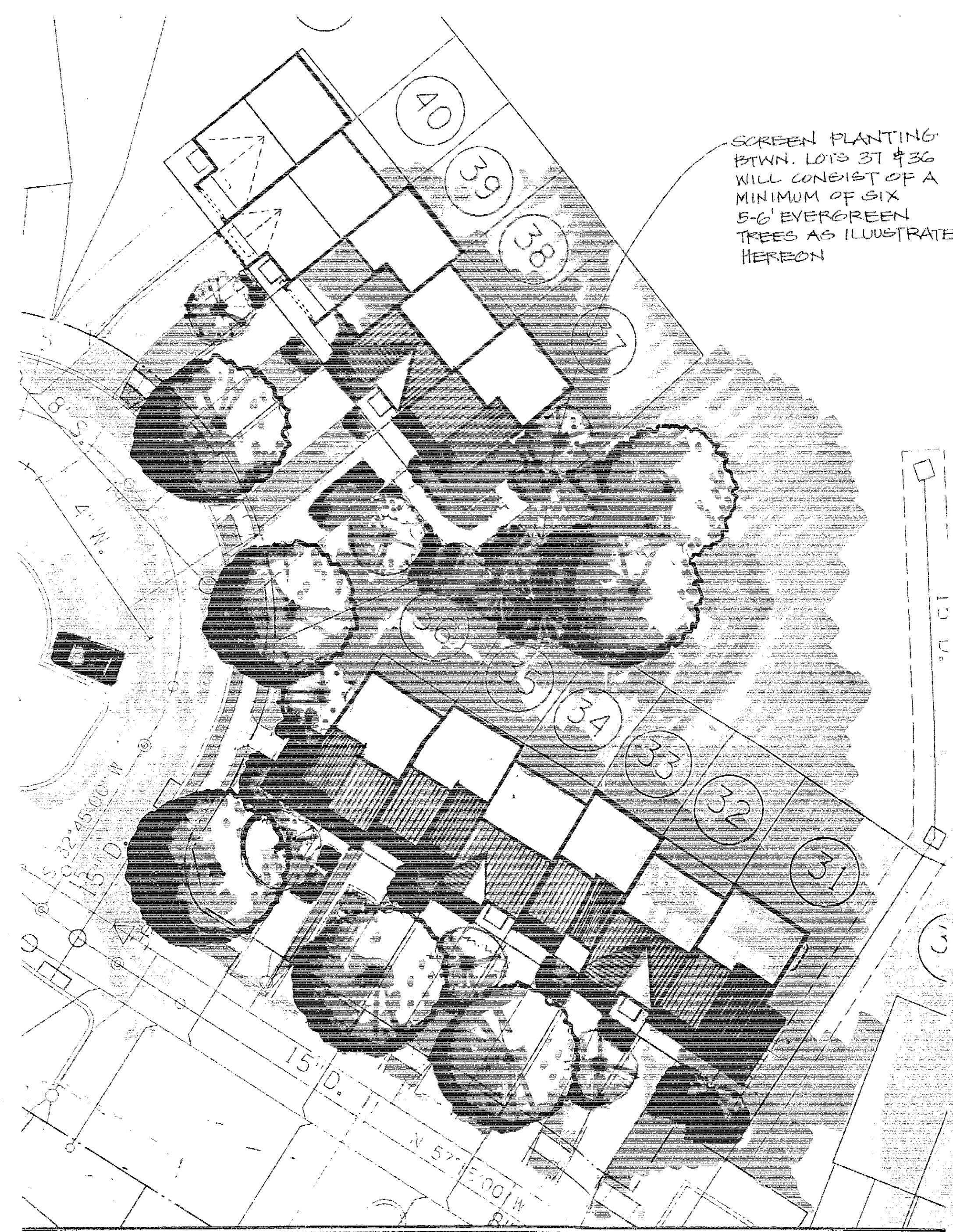
TOTAL \$685.00

DIAGNOSTIC CHRC \$685.00
EA C010:37A08-09-93

Please Make Checks Payable To: Baltimore County

Cashier Validation

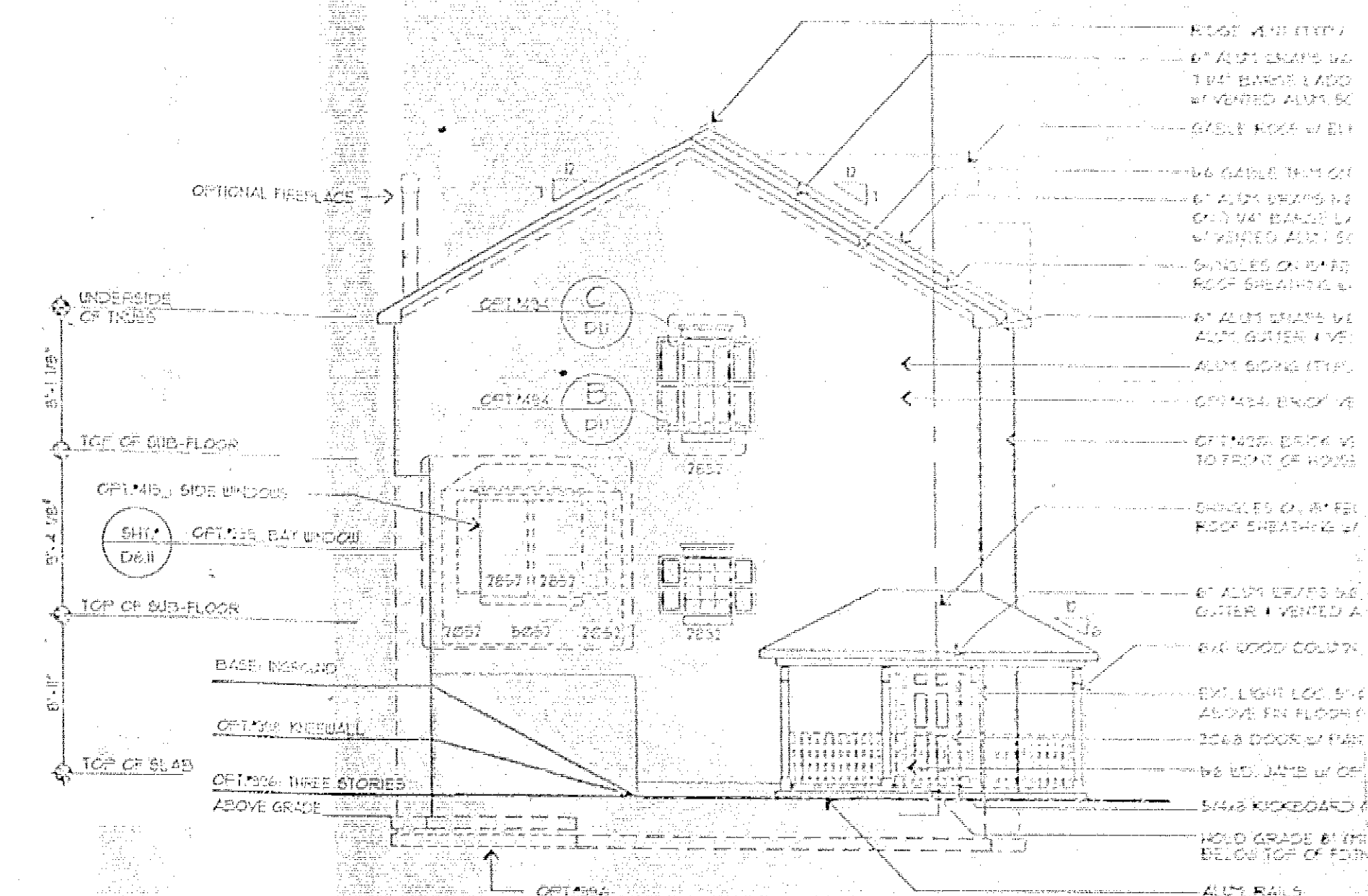
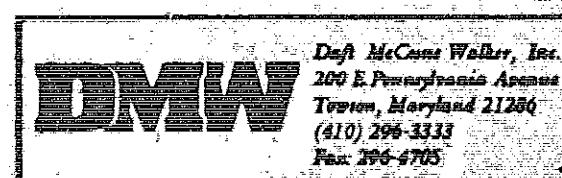
(Revised 04/09/03)



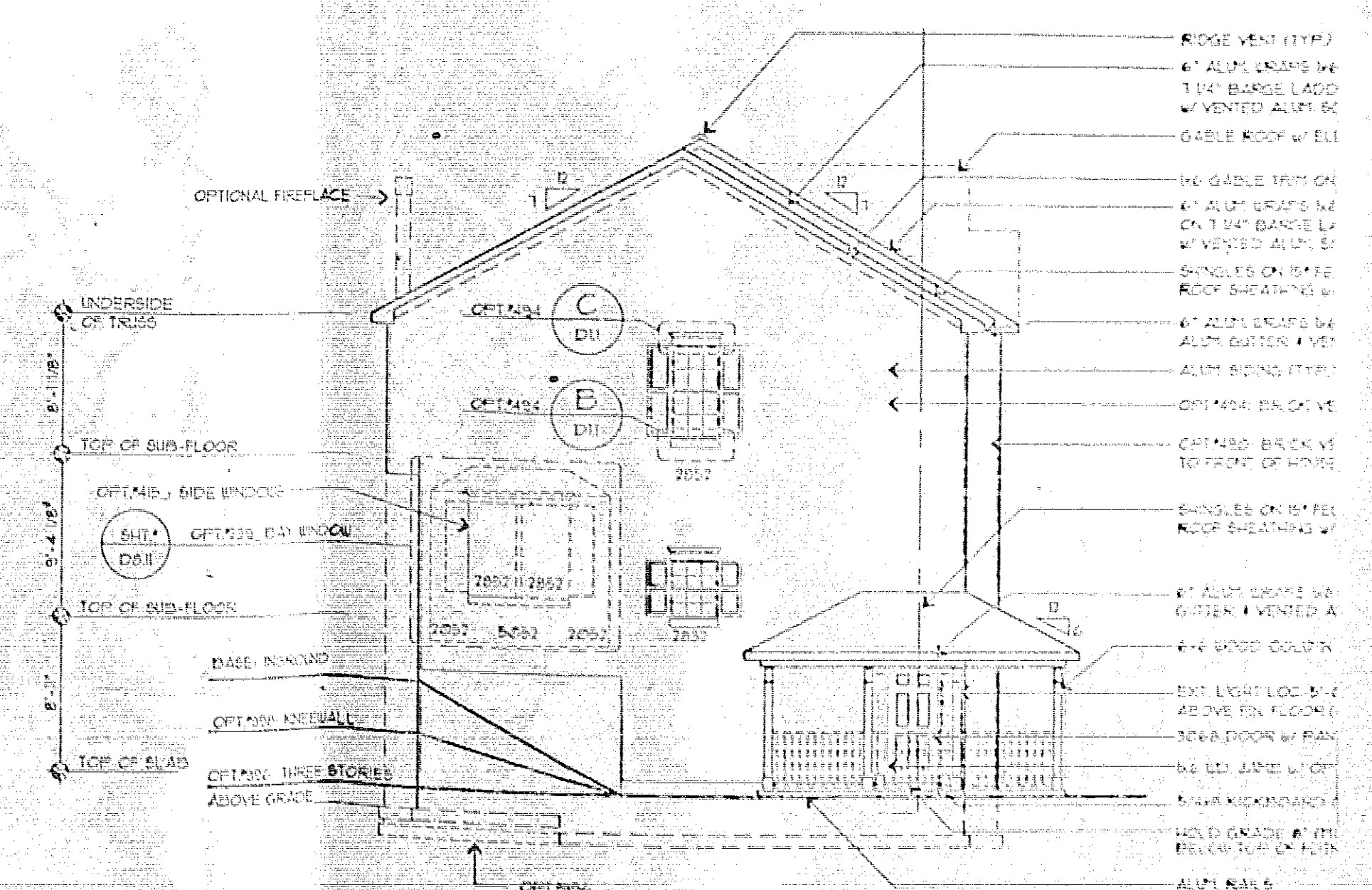
FOXRIDGE Sec. 1, Parcel C-1
Lot 36 Zoning Variance

ILLUSTRATIVE PLAN
 1" = 20'
 Proj. No. 86068.U
 Sept. 16, 1993

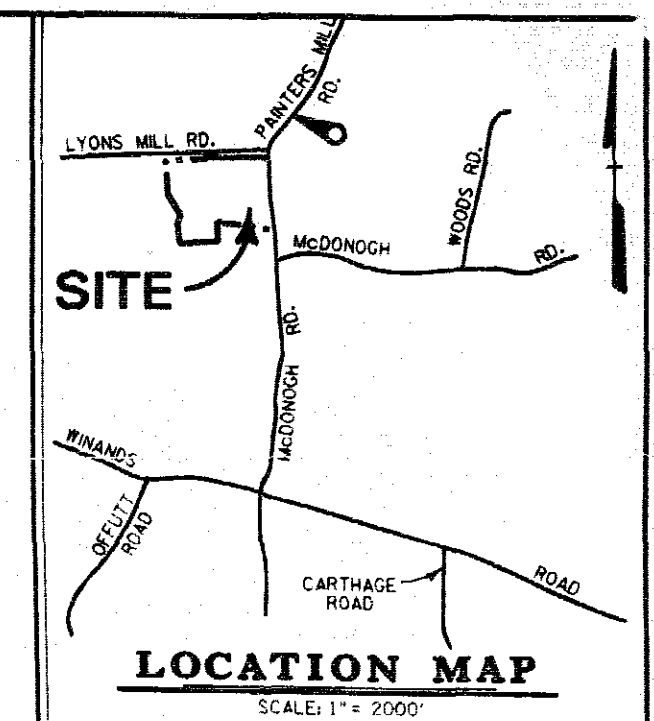
PETITIONER'S
EXHIBIT



ELEV. "A" SIDE ELEVATION
 SCALE: 1/8" = 1'-0"

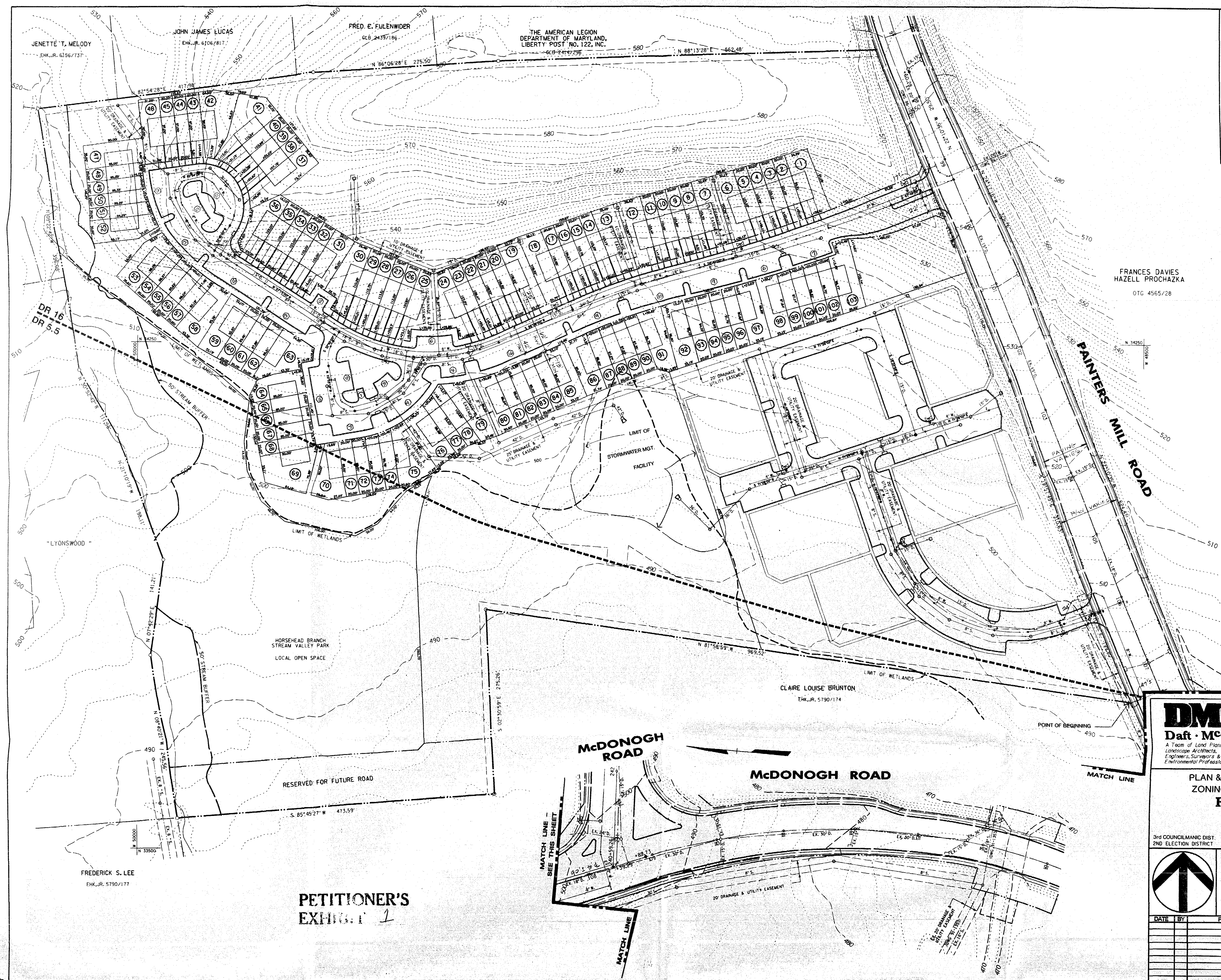


ELEV. "A" SIDE ELEVATION
 SCALE: 1/8" = 1'-0"



BENCHMARK
 DESCRIPTION
 HUB NO. 11629 ELEV. 543.264
 1/4" IRON BAR AT EDGE OF M.C. ON SE
 COR. OF PARTERS MILL ROAD, 470' E. & N.E.
 OF LYONS MILL ROAD.

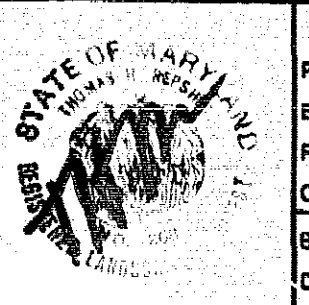
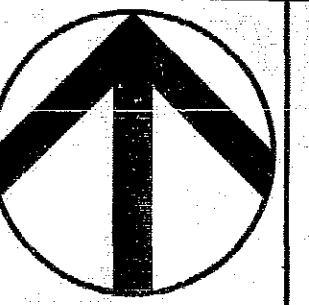
FRANCES DAVIES
 HAZELL PROCHAZKA
 OTG 4565/28



DMW
Daft · McCune · Walker, Inc.
 A Team of Land Planners,
 Landscape Architects,
 Engineers, Surveyors &
 Environmental Professionals
 200 East Pennsylvania Avenue
 Towson, Maryland 21206
 410 296 3333
 Fax 296 4705

**PLAN & PLAT TO ACCOMPANY
 ZONING VARIANCE HEARING
 FOXRIDGE
 PARCEL C-1**

3rd COUNCILMANIC DIST.
 2ND ELECTION DISTRICT
 BALTIMORE COUNTY, MD.



ISSUE DATES
 REVIEW: AUGUST 4, 1993
 PERMIT: _____
 CONSTRUCTION: _____
 BASE: JCS
 DRAWN: _____
 DESIGNED: _____
 CHECKED BY: _____
 DATE CHECKED: _____
 SCALE: 1" = 50'
 PROJECT NO.: 86068BU
 DRAWING:

DATE	BY	REVISIONS

**PETITIONER'S
 EXHIBIT 1**

